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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of	:	Customer Number: 46320
	:	
Radhika AGGARWAL, et al.	:	Confirmation Number: 2419
	:	
Application No.: 10/041,141	:	Group Art Unit: 2178
	:	
Filed: January 3, 2002	:	Examiner: T. Huynh
	:	
For: INLINE ERROR HIGHLIGHTING		

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed January 14, 2008,

wherein Appellants appeal from the Examiner's rejection of claims 1-5 and 11.

I. REAL PARTY IN INTEREST

This application is assigned to IBM Corporation by assignment recorded on January 3,

2002, at Reel 012482, Frame 0318.

II. RELATED APPEALS AND INTERFERENCES

On August 29, 2007, a Decision on Appeal was rendered in the present Application.

Appellants are unaware of any other related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1-5 and 11 are pending and rejected in this Application. Claims 1-5 have been rejected seven times, and claims 6-10 have been cancelled. It is from the multiple rejections of claims 1-5 and 11 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Seventh and Final Office Action dated October 12, 2008 (hereinafter the Seventh Office Action).

V. SUMMARY OF CLAIMED SUBJECT MATTER

1   Independent claim 1 is directed to an inline error notification method. Referring to

2   Figure 3 and pages 10-12 of Appellants' specification, a validation error is detected in block 310

3   based upon a value provided through an input-element in a markup specified form (page 10, line

4   20 through page 11, line 6). In block 314, a suitable textual error message is selected based upon

5   the type of validation error which has occurred (page 11, lines 16-19). In block 316, markup

6   specifying the row is inserted into the markup specifying the form at a position which is

7   proximate to the input-element which gave rise to the validation error (page 11, lines 19-24).

8   Also in block 316, the textual error message selected in block 314 is inserted into a row (page 12,

9   lines 1-2). To visually distinguish the inline error notification from the rest of the form, the

10   background of the row assumes a color which differs from the colors of the input element and its

11   surroundings (page 12, lines 2-4). In step 318, an anchor tag is applied proximately to the input-

12   element (page 12, lines 6-8). In consequence, when the page containing the form is reloaded, the

1   anchor is specified in the URL causing the page to scroll to a position which is proximate to the

2   input-element (page 12, lines 8-10).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1-5 and 11 were rejected under 35 U.S.C. § 103 for obviousness based upon Radtke et al., U.S. Patent Publication No. 2002/0113810 (hereinafter Radtke), in view of Hartman, U.S. Patent No. 6,615,226, Jeffries et al., U.S. Patent No. 6,094,529 (hereinafter Jeffries), and Homer et al., "Instant HTML," copyright 1997, pages 88-101 (hereinafter Homer).

VII. ARGUMENT

1 **THE REJECTION OF CLAIMS 1-5 AND 11 UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS**

2 **BASED UPON RADTKE IN VIEW OF HARTMAN, JEFFRIES, AND HOMER**

3   For convenience of the Honorable Board in addressing the rejections, claims 2-5 stand or

4 fall together with independent claim 1, and dependent claim 11 stands or falls alone.

5

6   On October 10, 2007, the Patent Office issued the "Examination Guidelines for

7 Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in KSR

8 International Co. v. Teleflex Inc.," 73 Fed. Reg. 57,526 (2007) (hereinafter the Examination

9 Guidelines). Section III is entitled "Rationales To Support Rejections Under 35 U.S.C. 103."

10 Within this section is the following quote from the Supreme Court: "rejections on obviousness

11 grounds cannot be sustained by merely conclusory statements; instead there must be some

12 articulated reasoning with some rational underpinning to support the legal conclusion of

13 obviousness." KSR Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, 1741 (2007) (quoting In re Kahn,

14 441 F.3d 977, 988 (Fed. Cir. 2006)).

15

16   Referring to the first column on page 57,529 of the Examination Guidelines for

17 Determining Obviousness, the following is a list of rationales that may be used to support a

18 finding of obviousness under 35 U.S.C. § 103:

19   (A) Combining prior art elements according to known methods to yield
20   predictable results;

21   (B) Simple substitution of one known element for another to obtain
22   predictable results;

1   (C) Use of known technique to improve similar devices (methods, or

2   products) in the same way;

3   (D) Applying a known technique to a known device (method, or product)

4   ready for improvement to yield predictable results;

5   (E) "Obvious to try" - choosing from a finite number of identified,

6   predictable solutions, with a reasonable expectation of success;

7   (F) Known work in one field of endeavor may prompt variations of it for

8   use in either the same field or a different one based on design incentives or other

9   market forces if the variations would have been predictable to one of ordinary

10   skill in the art;

11   (G) Some teaching, suggestion, or motivation in the prior art that would

12   have led one of ordinary skill to modify the prior art reference or to combine prior

13   art reference teachings to arrive at the claimed invention.

14

15   Upon viewing the Examiner's analysis on pages 2-4 of the Seventh Office Action, the Examiner

16   appears to be employing rationale (G). If the Examiner is not relying upon rationale (G),

17   Appellants request that the Examiner <u>clearly identify</u> the rationale, as described in the

18   Examination Guidelines for Determining Obviousness, being employed by the Examiner in

19   rejecting the claims under 35 U.S.C. § 103.

20

21   Referring again to rationale (G), as discussed on page 57,534 of the Examination

22   Guidelines, the following findings of fact <u>must</u> be articulated by the Examiner:

23   (1) a finding that there was some teaching, suggestion, or motivation,

24   either in the references themselves or in the knowledge generally available to one

25   of ordinary skill in the art, to modify the reference or to combine reference

26   teachings;

27   (2) a finding that there was reasonable expectation of success; and

1   (3) whatever additional findings based on the Graham factual inquiries

2   may be necessary, in view of the facts of the case under consideration, to explain

3   a conclusion of obviousness.

4

5   Referring to the paragraph entitled "Office Personnel as Factfinders" on page 57,527 of

6 the Examination guidelines, the following was stated:

7   Office personnel fulfill the critical role of factfinder when resolving the

8   *Graham* inquiries. It must be remembered that while the ultimate determination of

9   obviousness is a legal conclusion, the underlying *Graham* inquiries are factual.

10   When making an obviousness rejection, Office personnel must therefore ensure

11   that the written record includes findings of fact concerning the state of the art and

12   the teachings of the references applied. In certain circumstances, it may also be

13   important to include explicit findings as to how a person of ordinary skill would

14   have understood prior art teachings, or what a person of ordinary skill would have

15   known or could have done. Factual findings made by Office personnel are the

16   necessary underpinnings to establish obviousness.

17

18   In <u>Graham v. John Deere Co.</u>, 383 U.S. 1, 148 USPQ 459 (1966), the Supreme Court set

19 forth the factual inquiries that are to be applied when establishing a background for determining

20 obviousness under 35 U.S.C. 103. These factual inquiries are summarized as follows:

21   (A) Determine the scope and content of the prior art;

22   (B) Ascertain the differences between the prior art and the claims at issue;

23   (C) Resolve the level of ordinary skill in the pertinent art; and

24   (D) Evaluate any indicia of nonobviousness.

25

26 However, in order to make a proper comparison between the claimed invention and the prior art,

27 the language of the claims must first be properly construed. <u>See</u> <u>In re Paulsen</u>, 30 F.3d 1475,

28 1479 (Fed. Cir. 1994). <u>See also</u>, <u>Panduit Corp. v. Dennison Mfg. Co.</u>, 810 F.2d 1561, 1567-68

1 (Fed. Cir. 1987) (In making a patentability determination, analysis must begin with the question,

2 "what is the invention claimed?" since "[c]laim interpretation, ... will normally control the

3 remainder of the decisional process.") See Gechter v. Davidson, 116 F.3d 1454, 1460 (Fed. Cir.

4 1997) (requiring explicit claim construction as to any terms in dispute).

5

6 Upon reviewing the Examiner's analysis in view of the requirements discussed above

7 necessary for the Examiner to establish a prima facie case of obviousness, Appellants recognize

8 numerous deficiencies in the Examiner's analysis.

9

10 _____

11 Claim 1

12 On pages 5 and 6 of the Amendment dated July 28, 2008 (hereinafter the Sixth

13 Response), Appellants presented specific arguments with regard to the Examiner's proposed

14 combination. The Examiner's response to these arguments is found on pages 7 and 8 of the

15 Seventh Office Action. Initially, in the last full paragraph on page 7 of the Seventh Office

16 Action, the Examiner asserted the following:

17   This is not persuasive. Hartman teaches user enters data in various data entry fields that
18 are displayed in fig.8B (Hartman, col.9, lines 46-50) and "during the data entry, if an error is
19 detected, when a Web page is generated with the error message in close proximity (e.g., on the
20 line below) to the data entry field that contains the error" (Hartman, col.9, lines 54-59). Since,
21 Hartman teaches displaying error message on the line bellow the error field in fig.8A, this
22 inherently discloses that a row is inserted in the web page in order to overlap the error message to
23 entry field bellow the entry field that contains the error. (emphasis added)
24

25 Appellants respectfully submit that the Examiner's reliance upon the doctrine of

26 inherency to disclose the limitations at issue is misplaced. Inherency may not be established by

27 probabilities or possibilities. The mere fact that a certain thing may result from a given set of

1   circumstances is not sufficient to establish inherency.[1] To establish inherency, the <u>extrinsic</u>

2   <u>evidence</u> must make clear that the missing element must <u>necessarily be present</u> in the thing

3   described in the reference, and that the necessity of the feature's presence would be so recognized

4   by persons of ordinary skill.[2] The Examiner did not discharge the burden of identifying the

5   substantial extrinsic evidence that supports a finding that the admitted missing element must

6   necessary be present in Hartmann. Thus, the Examiner has not established that this limitation is

7   inherently disclosed by Hartmann.

8

9   In the second full paragraph on page 8 of the Seventh Office Action, the Examiner further

10   asserted the following:

11   This is not persuasive. Both Radtke and Hartman teach displaying error message
12   approximate to the data field to inform the user of the error, wherein Radtke's error message is
13   displayed next to the data field that contains the error and Hartman's error message is displayed
14   below to the data field that contains the error field. The combination of Hartman and Radtke
15   would have informed the user the error message (next or bellow) the data field that contains the
16   error before the user goes to the next data field in the form to enter data.
17
18   The Examiner's analysis still fails to establish a common sense rationale for the proposed

19   combination. By the Examiner's own admission, Radtke provides an error message displayed

20   next to the data field that contains the error. Thus, Radtke <u>alone</u> provides the alleged benefit of

21   the proposed combination. Since the issue has already been addressed by Radtke, one having

22   ordinary skill in the art would not have been realistically impelled to employ Hartman to solve

23   this problem. <u>See</u> <u>Ex parte Rinkevich</u>, Appeal 2007-1317 (non-precedential) ("we conclude that

24   a person of ordinary skill in the art *having common sense* at the time of the invention would not

---

[1] <u>In re Rijckaert</u>, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); <u>In re Oelrich</u>, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981).
[2] <u>Finnegan Corp. v. ITC</u>, 180 F.3d 1354, 51 USPQ2d 1001 (Fed. Cir. 1999); <u>In re Robertson</u>, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999); <u>Continental Can Co. USA v. Monsanto Co.</u>, 20 USPQ 2d 1746 (Fed. Cir. 1991); <u>Ex parte Levy</u>, 17 USPQ2d 1461 (BPAI 1990).

1   have reasonably looked to Wu to solve a problem already solved by Savill") (emphasis in

2   original).

3

4   <u>Claim 11</u>

5   Dependent claim 11 recites "the anchor tag is inserted after detecting the at least one

6   validation error and prior to serving said markup specified form." In the last full paragraph on

7   page 6 of the Sixth Response, Appellants argued the following. The insertion of the anchor tag

8   described by Homer occurs, presumably, when the HTML document/link is first created. On the

9   contrary, the claimed invention recites that the anchor tag is inserted after detecting the at least

10   one validation error and prior to serving said markup specified form. Appellants' position,

11   therefore, is that one having ordinary skill in the art would have not have considered such a

12   modification to be obvious over the applied prior art.

13

14   In the first full paragraph on page 7 and in the fourth full paragraph on page 8 of the

15   Seventh Office Action, the Examiner asserted the following:

16   **Regarding claim 11**, which is dependent on claim 1, refer to claim 1, the combination of
17   Radtke, Jeffries, Hartman teaches the anchor tag is inserted after detecting the at least one
18   validation error and prior to serving said markup specified form (Jeffries, fig.4; co1.7, lines 1-16;
19   inserting links to error messages, wherein each link is an anchor tag with "href" attribute). The
20   rationale is incorporated herein. (emphasis in original)
21   However, <u>Jeffries teaches anchor tag is inserted after detecting the at least one validation
22   error and prior to serving said markup specified form as explained in the rejection above</u>.
23   (emphasis added)
24
25   For ease of reference, the Examiner's cited passage within Jeffries is reproduced below:

26   Referring now to FIG. 6, one embodiment of a method of linking compiler error
27   messages to relevant information is shown. Compiler error messages and link information are
28   generated 610, 612, respectively. The link information may be generated after all of the compiler
29   errors are generated or may be generated simultaneosly [sic] with the generation of the compiler
30   errors. In one embodiment, error messages are codes, and in another embodiment, error messages
31   contain explanatory text as described above. In one embodiment the link information includes
32   identifiers for an application, or identifiers for information such as source code file name, line
33   numbers and column numbers, or help file indices.

1   Links are identified and displayed along with the error messages 614, 616. In one
2   embodiment, links are displayed by highlighting a portion of the error messages corresponding to
3   the link, although in other embodiments, any displayed indicator of the link is sufficient. The user
4   is allowed to select a link 618, and if selected 620, the information described by the link
5   information is displayed 622.

6

7   Based upon the Examiner's analysis, Appellants respectfully submit that the Examiner

8   has failed to properly characterize the scope and content of the applied prior art. The claimed

9   invention, as recited in claim 11, refers to a "validation error," "anchor tag," and "prior to serving

10   said markup specified form." However, the Examiner's cited passage with Jeffries refers to none

11   of these limitations. Although Jeffries refers to a "compiler errors," a compiler error is not

12   comparable to a validation error. A compiler error occurs during the compilation process, in

13   which a compiler translates source code into object code for execution by a computer (column 1,

14   lines 32-33 of Jeffries). During this compilation process, the compiler detects the presence of

15   errors in source code (column 1, lines 66-67 of Jeffries). This is an entirely different process

16   than a validation process.

17

18   The Examiner's cited passage is also silent as to the claimed anchor tag. Jeffries is also

19   silent as to the claimed "prior to serving said markup specified form." Jeffries does not teach a

20   markup specified form or serving a markup specified form. Thus, Jeffries cannot teach that

21   certain limitations of the claimed method occur "prior to serving said markup specified form."

22   Referring to the underlined portion of the above-reproduced passage from the Seventh Office

23   Action, the Examiner relied solely upon Jeffries to teach the limitations at issue. However, as

24   evident from the Examiner's cited passage and argued above, Jeffries fails to teach many of the

25   limitations for which the Examiner is relying upon Jeffries to teach. Therefore, the Examiner has

26   erred in asserting that the claimed invention would have been obvious in view of the applied

1   prior art, since the Examiner has failed to establish that the applied prior art, either alone or in

2   combination, teach all of the claimed limitations.

3

4   For above-described reasons, the Examiner has failed to establish that the claimed

5   invention, as recited in claims 1-5 and 11 would have been obvious within the meaning of 35 U.S.C.

6   § 103 based upon the proposed combination of Radtke, Hartman, Jeffries, and Homer.

7

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. §§ 1.17, 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

Date: January 14, 2009   Respectfully submitted,

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CUSTOMER NUMBER 46320

VIII. CLAIMS APPENDIX

1. An inline error notification method comprising:

detecting in a form-based submit, at least one validation error based upon a value provided through an input-element in a markup specified form;

inserting a row in said markup specified form in a position which is proximate to said input-element, said row having a background color which differs from other colors which are visible in proximity to said inserted row;

selecting error text corresponding to said validation error and inserting said selected error text in said row;

further inserting an anchor tag in said markup specified form in a position which is proximate to said input-element; and,

serving said markup specified form in a response to said form-based submit, said response referencing said anchor tag.

2. The inline error notification method of claim 1, further comprising the step of:

inserting an error image adjacent to said input-element.

3. The inline error notification method of claim 1, further comprising the steps of:

determining whether said markup specified form contained multiple views, one of said multiple views containing said input-element; and,

if it is determined that said markup specified form contains multiple views, identifying said one of said multiple views and setting said identified one of said multiple views to a visible status.

4. The inline error notification method of claim 1, wherein said step of inserting a row in said markup specified form in a position which is proximate to said input-element comprises the step of:

inserting a row in said markup specified form in a position which is proximate to but below said input-element, said row having a background color which differs from other colors which are visible in proximity to said inserted row.

5. The inline error notification method of claim 4, wherein said step of further inserting an anchor tag in said markup specified form in a position which is proximate to said input-element comprises the step of:

further inserting an anchor tag in said markup specified form in a position which is proximate to but before said input-element.

11. The inline error notification method of claim 1, wherein the anchor tag is inserted after detecting the at least one validation error and prior to serving said markup specified form.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of

any other evidence entered by the Examiner has been relied upon by Appellants in this Appeal,

and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

On August 29, 2007, a Decision on Appeal was rendered in the present Application, a copy of which is attached hereto. Appellants are unaware of any other related appeals and interferences.

The opinion in support of the decision being entered today is
not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

———————

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

———————

Ex parte RADHIKA AGGARAWAL, WILLIAM H. KREBS JR.,
ELIZABETH A. SCHREIBER and DAVID B. STYLES

———————

Appeal 2007-1979
Application 10/041,141
Technology Center 2100

———————

Decided: August 29, 2007

———————

Before KENNETH W. HAIRSTON, JEAN R. HOMERE,
and JOHN A. JEFFERY, *Administrative Patent Judges.*

HAIRSTON, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134 from a Final Rejection of

claims 1 to 10. We have jurisdiction under 35 U.S.C. § 6(b).

We will sustain the rejection.

STATEMENT OF THE CASE

Appellants have invented an inline error notification method in which at least one validation error is detected in a value provided through an input element in a markup specified form. A row is inserted in the markup specified form in a position that is proximate to the input element, and the row has a background color that differs from other colors that are visible in proximity to the inserted row. An error text corresponding to the validation error is inserted in the row. An anchor tag is inserted in the markup specified form in a position that is proximate to the input element. (Figures 2A and 2B; Specification 10 to 12).

Claim 1 is representative of the claims on appeal, and it reads as follows:

1. An inline error notification method comprising:

detecting in a form-based submit, at least one validation error based upon a value provided through an input-element in a markup specified form;

inserting a row in said markup specified form in a position which is proximate to said input-element, said row having a background color which differs from other colors which are visible in proximity to said inserted row;

selecting error text corresponding to said validation error and inserting said selected error text in said row;

further inserting an anchor tag in said markup specified form in a position which is proximate to said input-element; and,

serving said markup specified form in a response to said form-based submit, said response referencing said anchor tag.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Jeffries	US 6,094,529	Jul. 25, 2000
Upton	US 2003/0105884 A1	Jun. 5, 2003
		(effectively filed Oct. 18, 2001)
Hartman	US 6,615,226 B1	Sept. 2, 2003
		(filed Sept. 12, 1997)

Homer, "Instant HTML," HTML 4.0 Edition, 1997, pages 88-101.

The Examiner rejected claims 1, 2, 5 to 7, and 10 under 35 U.S.C. § 103(a) based upon the teachings of Upton, Jeffries, and Homer. The Examiner rejected claims 3, 4, 8, and 9 under 35 U.S.C. § 103(a) based upon the teachings of Upton, Jeffries, Homer and Hartman.

The Examiner noted that "Upton claims priority filing date for U.S. Provisional Applications 60/347,919 and 60/347,901," and that "[t]he 60/347,901 provisional application properly supports the subject matter relied upon by the Examiner to make the rejection of claims 1-2, 5-7 and 10 (See 60/347,901; pages 8-3 to 8-9)" (Final Rejection 7).

Appellants contend that "[t]he Examiner's reference to 'pages 8-3 to 8-9' of the '901 provisional application, however, still does not meet the requirements of 37 C.F.R. § 1.104(c), which requires that 'the particular part relied on must be designated as nearly as practicable" (Br. 4). According to Appellants, "merely citing seven whole pages to disclose multiple claimed elements does not designate 'as nearly as practicable,' the particular features within the '901 provisional application being relied upon by the Examiner in the rejection" (Br. 5).

In reply, the "Examiner also notes that '901 provisional application comprises 200 pages and examiner provides 7 pages over 200 pages to indicate to appellant that the cited portions in Upton are supported in the '901 provisional" (Ans. 8). The Examiner specifically explained that page 8-3 in the '901 provisional supports the claimed limitation of "redisplaying the form with error message next to each erroneous field," and that pages 8-5 and 8-6 in the '901 provisional application supports the claimed limitation of "displaying a localized error message next to the form field if the submitted data is invalid" (Ans. 9).

ISSUES

Did the Examiner provide the Appellants with a reasonable notice of the portions of the '901 provisional application[1] that are relied upon by the Examiner in the obviousness rejection?

Does the applied prior art teach or would it have suggested selection of an error text corresponding to a validation error?

FINDINGS OF FACT

The facts needed to resolve the issues on appeal are recited *supra*.

PRINCIPLES OF LAW

The Examiner bears the initial burden of presenting a prima facie case of obviousness. *In re* Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). If that burden is met, then the burden shifts to the Appellants to overcome the prima facie case with argument and/or evidence. *See Id.*

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[1] *See* "Most Publicly Available Provisional Applications Can Now be Viewed Over the Internet," 1288 Off. Gaz. Pat. Office 169 (Nov. 23, 2004).

The Examiner's articulated reasoning in the rejection must possess a rational underpinning to support the legal conclusion of obviousness. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).

The claims on appeal should not be confined to specific embodiments described in the specification. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323, 75 USPQ2d 1321, 1334 (Fed. Cir. 2005) (*en banc*). During ex parte prosecution, claims must be interpreted as broadly as their terms reasonably allow since Applicants have the power during the administrative process to amend the claims to avoid the prior art. *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

ANALYSIS

In view of the 200-page length of the '901 provisional application, we find that it was reasonable for the Examiner to rely on the seven pages in the rejection.

Appellants argue that Upton neither teaches nor would have suggested to the skilled artisan the selection of an error text corresponding to a validation error (Br. 5 to 7; Reply Br. 1 to 3). The Examiner contends that an error text message may take many forms, and still "correspond to the validation error" (Ans. 10). For example, "even if the error text message was always 'Error' (as read by Appellant), such text message by Upton's would still be selected/retrieved corresponding to the validation of the field (the '901, page 8-3, steps 2 and 3, for example age field has invalid value) in the form in order to display such text message next to erroneous field (age field has invalid value) on the form" (Ans. 10).

We agree with the Examiner. The claims on appeal do not specifically state what qualifies as "corresponding" text to the validation error. Thus, we find that the Examiner correctly applied a broadest reasonable interpretation to the term "corresponding."

CONCLUSION OF LAW

After consideration of Appellants' arguments, we find that the Appellants have not successfully rebutted the Examiner's positions. Accordingly, the Examiner has established the obviousness of claims 1, 2, 5 to 7, and 10 based upon the teachings of Upton, Jeffries, and Homer. The obviousness of claims 3, 4, 8, and 9 has been established by the Examiner because Appellants have not presented any patentability arguments for these claims apart from the arguments presented for claims 1, 2, 5 to 7, and 10.

DECISION

The obviousness rejections of claims 1 to 10 are affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

pgc

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